

FIRST: That your Complainant and Evelyn H. Masser, his wife, (now deceased), did on or about the 31st day of May, 1960, purchase as tenants by the entireties from Victor J. Kifer and Eva M. Kifer, his wife, all that tract or parcel of land described as containing approximately 262 acres of land located in the 15th Election District of Frederick County, Maryland, saving and excepting from said land a 5-1/3 acre tract of land sold by your Complainant's grantors unto J. Fred Redding and Anna L. Redding, his wife, all as will more fully appear on a copy of a deed of conveyance from Victor J. Kifer, et ux., unto Harry G. Masser, et ux., dated May 31, 1960, and recorded among the Land Records of Frederick County, Maryland, at Liber 639, page 248, a copy of said deed being attached to the original Bill of Complaint as Exhibit 1, and by this reference made a part hereof and incorporated herein.

SECOND: That your Complainant has contracted to sell the farm he purchased from Victor J. Kifer, et ux., as aforesaid unto Nicola M. Tauraso, M.D., by contract dated December 15, 1977, all as will more fully appear on a copy of said contract, which said contract is attached to the original Bill of Complaint as Exhibit 2 and by this reference made a part hereof and incorporated herein.

THIRD: That the proposed purchaser of said property commenced preparation for settlement under said contract by having the title to said property searched to determine whether or not your Complainant in fact had marketable, fee simple title to the property which your Complainant agreed to sell.

FOURTH: That from a title search to the property under contract to Nicola M. Tauraso, M.D. (hereinafter referred to as "Tauraso"), it appears that record title to a one-third interest in and to 94 acres and 22 square perches of land, which form a part of your Complainant's farm which he agreed to sell to Tauraso, is in the individuals known as William C. Rouse of B, Brickhead Rouse, Edgar S. Rouse, and Robert A. Rouse, as tenants in common.